

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**ROBERT WILLIAM AVERKAMP and  
JANICE AVERKAMP,**

Plaintiffs,

**BLUE CROSS BLUE SHIELD  
OF WISCONSIN**

Involuntary Plaintiff,

**Case No. 13-C-473**

v.

**SWIMWAYS CORPORATION,  
CNA FOUNDATION,  
TARGET CORPORATION, and  
ACE AMERICAN INSURANCE  
COMPANY,**

Defendants.

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**ORDER**

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Upon due consideration of Defendant Swimways Corporation's Rule 7(h) expedited non-dispositive motion to supplement the record (ECF No. 40), the Plaintiffs' response, and Swimway's September 17, and 18, 2014, letters, the Court grants Swimway's expedited non-dispositive motion. The portions of the official deposition transcripts of the depositions of Paul Olsen, Ed Hayes, and Tim Ellington that Swimways asserts pertain to whether those employees can be considered managing agents of Swimways are accepted for filing.

Dated at Milwaukee, Wisconsin, this 18th day of September, 2014.

**SO ORDERED:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**